



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

SD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,788	01/04/2002	Gilles Lebouill	11345/042001	7677
22511	7590	08/03/2005	EXAMINER	
OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010				TO, BAO TRAN N
ART UNIT		PAPER NUMBER		
				2135

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/019,788	LEBOUIL, GILLES
	Examiner Bao Tran N. To	Art Unit 2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 04 January 2002.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-25,29 and 30 is/are pending in the application.  
4a) Of the above claim(s) 14-17 and 23-25 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-13, 18-22,29 and 30 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01/04/2002.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_ .

**DETAILED ACTION**

1. This Office action responds to the applicant's Preliminary Amendment filed on 01/04/2002. Applicant amended Claims 1-25 and 29-30 and Canceled Claims 26-28. Claims 1-25 and 29-30 are pending in this application.

***Election/Restrictions***

2. During a telephone conversation with LIANG, T. CHYAU, registration number 48885 on 07/21/2005 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-13, 18-22 and 29-30. Affirmation of this election must be made by applicant in replying to this Office action. Claims 14-17 and 23-25 of Group II are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claims 1-13, 18-22 and 29-30 are presented for examination.

***Specification***

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

**Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) **ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).**
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (U.S. Patent 5,983,273) herein referred to as White.

Regarding on Claims 1 and 18, White discloses a method of authenticating communication between a receiver/decoder (WebTV client) and a remote server (WebTV server) for providing access to a network (col. 3, the method comprising using an identifier (identification information) of the receiver/decoder to authenticate the communication (col. 2, lines 5-10), the identifier being based on an identifier for access to broadcast service (WebTV service) (col. 5, lines 50-58).

Regarding on Claim 2, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is stored on a removable component (smartcard) of the receiver/decoder (col. 4, lines 5-20).

Regarding on Claim 3, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is independent of a network login identifier for the receiver/decoder (col. 7, lines 8-20).

Regarding on Claim 4, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the identifier is based on a number unique (id) to a smartcard for use with the receiver/decoder (col. 4, lines 5-10).

Regarding on Claim 5, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the remote server is for accessing the internet (Fig. 1, col. 3, lines 33-35).

Regarding on Claim 6, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the remote server is an internet account management system (col. 5, lines 30-35).

Regarding on Claim 7, White discloses the limitations as discussed in Claim 6 above. White further discloses wherein an internet account for a user is established by the internet account management system using the identifier of the receiver/decoder (col. 5, lines 50-55).

Regarding on Claim 8, White discloses the limitations as discussed in Claim 7 above. White further discloses wherein the identifier of the receiver/decoder is compared by the internet account management system with a stored list of identifier of receiver/decoders which may establish internet accounts (col. 5, lines 28-35).

Regarding on Claim 9, White discloses the limitations as discussed in Claim 7 above. White further discloses wherein the remote server comprises means for sending data to an internet service provider and wherein said method comprises the steps of providing details of the internet account to the internet service provider to establish a bi-directional data pathway (bi-directional data connection 29) between the receiver/decoder and the internet service provider (remote server) (Fig. 1,col. 3, lines 20-30).

Regarding on Claims 10 and 19, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein said identifier is accompanied by data identifying a data pathway to be used for communication between the receiver/decoder and the remote server (col.1, lines 60-65).

Regarding on Claims 11 and 20, White discloses the limitations as discussed in Claim 1 above. White further discloses wherein the remote server provides the receiver/decoder with access to a network having network protocols (col. 3, lines 30-

38), and data output from the receiver/decoder is converted into data compliant with the network protocols at a location remote from the receiver/decoder (col. 2, lines 5-10).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-13, 21-22, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over White as applied to claims 1 and 18 above, and further in view of Shambroom (U.S. Patent 6,301,661,B1) herein referred to as Shambroom.

Regarding on Claim 12, White discloses the limitations as discussed in Claim 11 above. White clearly does not disclose wherein the data is converted into said data compliant with the network protocols by a gateway intermediate the receiver/decoder and the remote server.

However, Shambroom discloses wherein the data is converted into said data compliant with the network protocols by a gateway intermediate the receiver/decoder and the remote server (col. 2, lines 30-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Shambroom's invention with

White to include a gateway intermediate the receiver/decoder and the remote server with the motivation being to allow enhanced security.

Regarding on Claims 13 and 22, White and Shambroom disclose the limitations as discussed in Claim 12 above. White and Shambroom further disclose wherein the network comprises a plurality of remote devices, said converted data being communicated by the gateway to one of said remote devices as specified in said data thereby establish a communication channel between the receiver/decoder and the specified remote device (Shambroom, col. 2, lines 55-65).

Regarding on Claim 21, White discloses the limitations as discussed in Claim 1 above. White and Shambroom further disclose in the form of a gateway intermediate the receiver/decoder and the remote server (Shambroom, col. 3, lines 47-53).

Regarding on Claim 29, White and Shambroom disclose the limitations as discussed in Claim 13 above. White and Shambroom further disclose wherein a message instructing termination of the communication channel is communicated from the receiver/decoder to the gateway using the non-internet protocol, the gateway in turn communicating a termination command to the specified remote device using the internet protocol (Shambroom, col. 8, lines 25-45).

Regarding on Claim 30, White and Shamroom disclose the limitations as discussed in Claim 12 above. White and Shambroom further disclose wherein the identification of the receiver/decoder is authenticated by the gateway before the communication channel is established (Shambroom, col. 2, lines 30-45).

***Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dancs et al. (U.S. Patent 6,385,651 B2) discloses user and network computer client device (NC) registration with an internet service provider (ISP) occurs in two phases: the first phase with the relationship server and the second phase with the ISP.

Gebauer (U.S. Patent 6,446,117 B1) discloses an apparatus for and method of utilizing an internet terminal coupled to the world wide web wherein one or more variables from a first service request may be saved for user with one or more subsequent service requests.

Tanaka et al. (U.S. Patent 6,076,164) discloses a method and system for authenticating between a user or client and a network access entity such as a server or another client using an IC card.

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Tran N. To  
Patent Examiner  
07/25/2005



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100